

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

COHAUSZ & FLORACK  
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ALLEMAGNE

Eingang:	12. SEP. 2006
Frist bis:	
Bearbeiter	Erledigt
20	Gesendet

Date of mailing (day/month/year) 08 September 2006 (08.09.2006)	
Applicant's or agent's file reference <u>030957WQ</u>	<b>IMPORTANT NOTIFICATION</b>
International application No. PCT/EP2004/010952	International filing date (day/month/year) 01 October 2004 (01.10.2004)
Applicant  FRITZ EGGER GMBH & CO. et al	

## 1. Transmittal of the translation to the applicant.

- ☐ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).
- ☒ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

## 2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

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The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, GR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

## 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer  Agnes Wittmann-Regis
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TRANSLATION

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>030957WO</b>	FOR FURTHER ACTION See Form PCT/IEPA/416	
International application No. <b>PCT/EP2004/010952</b>	International filing date (day/month/year) <b>01.10.2004</b>	Priority date (day/month/year) <b>01.10.2003</b>
International Patent Classification (IPC) or national classification and IPC <b>C08L67/00, C08L67/02, C08J5/06, C08J5/10, C08K7/02</b>		
Applicant <b>FRITZ EGGER GMBH &amp; CO.</b>		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>8</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>	
Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/010952

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1, 4-11 \_\_\_\_\_ as originally filed/furnished
- pages\* 2, 3, 3a \_\_\_\_\_ received by this Authority on 22.07.2005 with letter of 22.07.2005
- pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☒ the claims:
- nos. \_\_\_\_\_ as originally filed/furnished
- nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
- nos.\* 1-28 \_\_\_\_\_ received by this Authority on 22.07.2005 with letter of 22.07.2005
- nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ the drawings:
- sheets \_\_\_\_\_ as originally filed/furnished
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (specify): \_\_\_\_\_
- ☐ any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/010952

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims 1-28	YES
	Claims	NO
Inventive step (IS)	Claims 1-28	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-28	YES
	Claims	NO

## 2. Citations and explanations (Rule 70.7)

## Documents taken into consideration:

- D1: PATENT ABSTRACTS OF JAPAN Vol. 2000, No. 21, 3 August 2001 (2001-08-03) & JP 2001 088103 A (NIPPON SHOKUBAI CO LTD; DAIKEN TRADE & IND CO LTD), 3 April 2001 (2001-04-03)
- D2: PATENT ABSTRACTS OF JAPAN Vol. 1998, No. 01, 30 January 1998 (1998-01-30) & JP 09 254106 A (NIPPON SHOKUBAI CO LTD; DAIKEN TRADE & IND CO LTD), 30 September 1997 (1997-09-30)
- D3: PATENT ABSTRACTS OF JAPAN Vol. 017, No. 385 (M-1448), 20 July 1993 (1993-07-20) & JP 05 069416 A (MATSUSHITA ELECTRIC WORKS LTD), 23 March 1993 (1993-03-23)
- D4: PATENT ABSTRACTS OF JAPAN Vol. 017, No. 206 (M-1400), 22 April 1993 (1993-04-22) & JP 04 348903 A (DAIKEN TRADE & IND CO LTD), 3 December 1992 (1992-12-03)
- D5: DE 39 23 555 A (YAMAHA CORP) 1 February 1990 (1990-02-01)
- D6: DE 2324263 A (DZIUK GUENTHER) 28 November

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability:  
citations and explanations supporting such statement

1974 (1974-11-28)

**1. Novelty (PCT Article 33(2))**

The present amended independent claim 1 discloses a molding compound consisting of a thermoplastic synthetic material and a reinforcing component, the molding compound being characterized in that the thermoplastic synthetic material is a polyethylene terephthalate (PET) and the reinforcing material is a wood material. None of the previously cited prior art documents, D1 to D6, discloses such a molding compound with all of the technical features corresponding to present claim 1. Therefore, the subject matter of the application is novel (PCT Article 33(2)).

**2. Inventive step (PCT Article 33(3))**

In view of the statements in the applicant's letter of 22 July 2005 with regard to the surprisingly improved thermal stability of the claimed molding compounds, which are consequently particularly well suited for use in an outdoor area subject to the elements, the subject matter of the application can also be regarded as involving an inventive step (cf. in particular pages 2, 5 and 6 of said letter) (PCT Article 33(3)).